

Exhibit H



Department of
Transportation



Metropolitan Transportation Authority
State of New York



October 13, 2020

The Honorable Nicole R. Nason
Administrator
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Nason:

We are in receipt of your letter of September 3, 2020, responding to our letter of July 2, 2020 requesting that the Federal Highway Administration act on our June 17, 2019 Expression of Interest for the Central Business District Tolling Program (CBDTP) by providing guidance on the form of environmental review under the National Environmental Policy Act (NEPA) and expedite it consistent with the June 4, 2020 Executive Order.

We believe we provided sufficient data and justification for the need for the CBDTP. To date, we have received no questions from the Federal Highway Administration (FHWA) regarding the Traffic and Revenue Study submitted in January 2020 other than your current question regarding the impact of COVID-19, which we will address here.

Transportation has always been and remains the foundation on which the US economy is built – it is the way we access health and education, the way we grow our businesses, and the way we move around for recreational purposes. We in the New York metropolitan region know this better than anyone as our region is home to the largest transit system in the nation, the two largest commuter rail systems in the nation, and one of the most complex street and highway networks in the nation, not to mention being a recognized gateway for national and international travel and commercial goods.

As you know, USDOT's Bureau of Statistics (BTS) is already showing more movement in our region with the percentage of population staying home decreasing from the peak of the pandemic in many of the counties that feed the CBD (USDOT, BTS, *Trips by Distance*, <https://www.bts.gov/browse-statistical-products-and-data/trips-distance/explore-us-mobility-during-covid-19-pandemic>). USDOT has additional information via BTS, which is tracking numerous recovery metrics related to transportation and the impact of COVID-19 across multiple modes and geographical areas, including MTA's subway transit ridership. The following paragraphs provide some more detailed data specific to the CBDTP.

While you are aware that MTA's transit ridership remains significantly lower (roughly 68% lower compared to 2019), there has been steady improvement since April 2020 and even at the current ridership, the system moves more customers than any other system in the country. Importantly, with roughly half the riders back, bus ridership is recovering at a faster pace than our rail systems. As bus ridership continues to return, it is especially important to reduce congestion to improve bus speeds and reliability.

With respect to roadway traffic beyond bus transit, as New York continues through its phased reopening, traffic on the roads has returned more rapidly than transit ridership. From a nadir of 70% below 2019 levels in mid-April of this year, traffic on MTA's bridges and tunnels in September 2020 has climbed to 86% compared to the same period last year. New York City Department of Transportation is witnessing similar trends, with weekday daily volumes entering the CBD reaching roughly 95% of pre-COVID levels by mid-September 2020. This data is consistent with reports from WAZE which show New York City nearing pre-COVID traffic levels and rebounding faster than other cities (<https://www.waze.com/covid19>).

With this traffic comes congestion and reduced traffic speeds. Pre-COVID-19 vehicle speeds averaged 6.6 mph on weekdays and 11.3 mph on weekends; current vehicle speeds are 7.5 mph on weekdays and 10.7 mph on weekends. In other words, congestion has already returned to pre-pandemic levels at certain times and days in Manhattan's CBD.

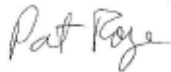
As traffic volumes entering the CBD recover and speeds in the CBD decline, traffic conditions are on a trajectory to match those when the CBDTP was first raised with the US Department of Transportation in Spring 2019. The CBDTP will be key to helping change these patterns to ensure utilization of *all* travel modes and a reliable and efficient roadway network.

In short, traffic is returning quickly, congestion is growing, and speeds are dropping, making the CBDTP as important now as when we sent you the Notice of Intent in June of last year. We appreciate the many discussions with you, your staff, and the FHWA Division Office since we first approached you in April 2019 about the CBDTP – including the NEPA process, the appropriate NEPA documentation and the types of impacts to be considered – and we have responded to questions during these sessions, as well as in a more formal communication in December 2019 and by providing the Traffic and Revenue Study in January 2020. Current trends foreshadow a return to traffic and congestion to pre-COVID-19 levels this fall or sometime next year. Thus, it is imperative that FHWA inform us of the form of NEPA document (Environmental Assessment [EA] vs. Environmental Impact Statement [EIS]) it believes we should prepare for the CBDTP. We look forward to hearing your response so we can advance the environmental review process in accordance with the Council on Environmental Quality and FHWA regulations as expeditiously as possible.

Sincerely,



Marie Therese Dominguez
Commissioner
NYSDOT



Patrick J. Foye
Chairman and CEO
MTA



Polly Trottenberg
Commissioner
NYCDOT

CC: J. Szabat, Under Secretary Transportation for Policy, USDOT
R. Epstein, Executive Deputy Commissioner, NYSDOT
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